

244286

BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS

2401 PENNSYLVANIA AVENUE, NW
SUITE 300
WASHINGTON, DC 20037

TELEPHONE: (202) 663-7820
FACSIMILE: (202) 663-7849

CRYSTAL M. ZORBAUGH

ENTERED
Office of Proceedings
September 7, 2017
Part of
Public Record

(202) 663-7831 (Direct Dial)
E-Mail: czorbaugh@bakerandmiller.com

September 7, 2017

VIA E-FILING

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001

 GRANTED Office of Proceedings	DECISION ID NO.: <u>46032</u>
	DECIDED DATE: <u>11-9-17</u>
	SERVICE DATE: <u>11-13-17</u>
	APPROVED: <u>[Signature]</u> Acting Director
☒ <u>Extended to 9-17-18</u>	

Re: Norfolk Southern Railway Company – Abandonment Exemption – In
Nottoway County, Virginia, AB-290 (Sub-No. 378X)

Dear Ms. Brown:

Norfolk Southern Railway Company (“NSR”) hereby requests an additional one-year extension, until September 17, 2018, of the abandonment authority granted to NSR in the above-captioned proceeding. Currently, NSR’s abandonment authority expires on September 17, 2017, per the Board’s decision served September 16, 2016. Despite NSR’s efforts, salvage will not be able to be complete by the current deadline because NSR is actively attempting to resolve salvaging conditions imposed by the Board in a decision served on October 16, 2015 (“Oct. 16th Decision”).¹

Over the past year, NSR has worked towards consummating its abandonment authority in this proceeding. However, due to various reasons, NSR has been unable to complete the consultation and salvage process. As such, NSR needs additional time to complete the

¹ The conditions imposed by the Board include the following: (1) consult with the National Geodetic Survey (“NGS”) and notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers; and (2) prior to commencement of any salvage activities (i) consult with the U.S. Fish and Wildlife Service regarding potential impacts from salvaging activities to federally listed threatened and endangered species that may occur in the vicinity of the line, and (ii) report the results of the consultations in writing to the Board’s Office of Environmental Analysis prior to the onset of salvage operations.

BAKER & MILLER PLLC

Cynthia T. Brown
September 7, 2017
Page 2

consultation and salvage process consistent with the Oct. 16th Decision. Should you have any questions, please contact me directly by telephone: 202-663-7831, or by e-mail: czorbaugh@bakerandmiller.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Crystal M. Zorbaugh", with a stylized, flowing script.

Crystal M. Zorbaugh
Attorney for Norfolk Southern Railway Company

cc: All parties of record
Greg Summy, Laura Hoag, LaWada Poarch